

**SELECTMEN'S MEETING  
Monday, March 15, 2010 7 p.m.  
H. BERNARD MONAHAN MEMORIAL ROOM  
TOWN HALL, 242 UNION STREET  
ROCKLAND, MASSACHUSETTS**

**PLEDGE OF ALLEGIANCE  
MOS**

**1. OPEN FORUM**

**~Police Chief Llewellyn updated the BOS on measures taken to evacuate some residents as a result of flooding from the March 12-15 rains. The Chief also spoke regarding two isolated and unrelated incidents in Rockland.**

**~John Rogers spoke as a member of the Rockland Housing Authority. Mr. Rogers discussed the HUD Housing project site review and ongoing plans to find an appropriate place to build 80 units of HUD funded housing and a Senior Center using a HUD Grant. The Housing Authority is hoping to build on land near Albion Street.**

**2. No item**

**3. No Item**

**UNFINISHED BUSINESS**

**4. Insurance update**

**~TA reported on progress with Dental Insurance investigation.**

**5. Fire Chief search recommendations**

**~Town Administrator Chiocca provided the BOS with a sample advertisement for the new Fire Chief search and a proposed schedule for applications, review, interviews, and appointment for the position, with the hope that a new Fire Chief would be in place by July 1, 2010.**

**6. Warrant signatures**

**~Mr. Chiocca provided the State law which allows payroll warrant to be signed by one or two designated members of departments.**

**7. SS Voc School Debt Exclusion-Roof and Windows Project**

**~Mr. Chiocca updated the BOS that the South Shore vocational roof and window project can be placed on the Town Meeting warrant as a result of the recent vote by the Regional School Committee.**

**8. No Item**

**9. IT committee update**

**~The BOS was informed a general update of the server and computer systems at Town Hall. The system was in need of being updated and this will help coordination between departments and overall security of our system. Mr. Chiocca indicated the upgrades are currently in process and the IT committee will make a presentation at a future meeting.**

**10. Legal budget review**

**~Review of legal expenses over fiscal year and where the costs have been incurred. Discussion took place regarding the causes for various legal expenses.**

## **NEW BUSINESS**

### **11. Common Cause E-Government Award**

**~TA Chiocca announced Rockland would be receiving an award for the town's web site from the organization Common Cause. Mr. Chiocca praised the efforts of Sterling Smith Rockland's webmaster for working to continually update and upgrade the web site.**

### **12. Liquid Sunshine Coffee Café-Common Vic Application**

**~A brief discussion took place with the new owners regarding their operational plans for the former Albertina's Ice Cream shop. MOTION to approve the application by Mr. Zupkofska, 2<sup>nd</sup> by Ms. O'Brien passed 5-0.**

**NOTE: item taken out of order- Toll Booth SPED PAC**

**~Request to hold annual fundraiser on May 8 with a rain date of May 15, after review by the Police Department. MOTION to approve by Mr. Chaffee, 2<sup>nd</sup> Ms. O'Brien passed 5-0.**

### **13. Qualified Bond Act**

**~TA Chiocca explained the benefits of applying to the Municipal Finance Oversight Board for inclusion of Rockland future bonds in the State Qualified Bonds. If Rockland's application is accepted the town could save potentially three (3) million dollars or more depending upon our credit rating and the Commonwealth's credit rating.**

**~MOTION by Mr. Simpson, 2<sup>nd</sup> by Ms. O'Brien "That the Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any or all of the bonds currently authorized and unissued by the Town, or notes in anticipation thereof, and to provide such information and execute such documents as the Municipal Finance Oversight Board may require for these purposes." Motion passed 5-0.**

**~MOTION by Mr. Simpson, 2<sup>nd</sup> by Mr. Chaffee to send a letter to Eastern Bank thanking them for bringing the program to Rockland passed 5-0.**

**14. ADA requirements**

**~TA Chiocca requested the BOS establish a Disability Commission that includes special populations and advocates to ensure that town facilities, services and programs afford equal access to all. The commission should have seven members and will meet periodically as necessary during the day. Volunteers were requested to fill an application for appointment to the Commission. As the ADA coordinator the Town Administrator is a member of the commission with three (3) year staggered terms for the additional 6 members.**

**~MOTION to establish a seven (7) member Disability Commission that includes special populations and advocates to ensure that town facilities, services and programs afford equal access to all by Mr. Zupkofska, 2<sup>nd</sup> by Mr. Chaffee passed 5-0.**

**15. No Item**

**16. Special Town Meeting Resolution**

**TA Chiocca presented a resolution to the BOS for calling a Special Town meeting prior to the Annual Town Meeting on May 3, 2010.**

**~MOTION to approve the Resolution by Mr. Chaffee, 2<sup>nd</sup> by Ms. O'Brien passed 5-0.**

**~MOTION to open the warrant on March 22 and close the STM warrant on March 31, 2010 by Mr. Chaffee, 2<sup>nd</sup> By Mr. Simpson passed 5-0.**

**17. Rent Control Judgment**

**~Town Counsel informed the BOS of Judge Woodlock's decision for the Rent control Board and against the case brought by Hometown America owners of Leisure Woods. Atty. Clifford advised the BOS it is still in the best interest of the town to resolve some outstanding issues and avoid additional litigation.**

## **18. Assistant District Attorney Correspondence**

~Correspondence was received by Town Counsel regarding an Open Meeting violation complaint filed by Mr. Zupkofska. The Assistant District Attorney's correspondence required the correspondence be read in its entirety into the record. Mr. Johnson read the letter into the record ([copy attached](#)).

~MOTION to release the [Executive Session minutes of June 1, 2009](#) by Mr. Zupkofska, 2<sup>nd</sup> by Mr. Johnson. Discussion by Mr. Chiocca took place regarding release of the minutes.

~MOTION by Mr. Zupkofska that the Town Administrator not comment on the matter NO Second.

~Town Counsel Clifford began to read into the record his [response](#) to the Assistant District Attorney's letter.

~MOTION by Mr. Zupkofska to spend no further money on this, no 2<sup>nd</sup>.

~ Town Counsel continued to offer his comments to the Assistant District Attorney.

~MOTION by Mr. Chaffee, 2<sup>nd</sup> by Mr. Simpson to adhere to the Open Meeting Law in the future approved 5-0.

## **Town Administrator Evaluation**

Mr. Simpson began discussion regarding 3 different formats that could be used to evaluate the Town Administrator. The BOS and Attorney Clifford discussed the 3 possibilities.

~MOTION by Mr. Johnson, 2<sup>nd</sup> by Ms. O'Brien to use the "Town of Stoughton" model with appropriate revisions, passed 5-0.

## **29. Town Administrator's Report**

~TA requested permission of the BOS to use the Bulldog Logo on the BAT Bus vehicles servicing Rockland.

~MOTION by Ms. O'Brien, 2<sup>nd</sup> by Mr. Simpson passed 5-0.

~Announced Holy Family School Blood Drive

~Reminded agenda is posted on the Town website

## **SELECTMAN'S COMMENTS**

**Chairman Simpson read into the record:**

**Comments and opinions expressed by individual members do not necessarily reflect the views of all of the BOS and are the opinions and comments of only the individual member.**

**Ms. O'Brien**

~Commented on the flooding issues due to recent rains

~Announced Candidate's Night on March 23 and 24<sup>th</sup>

**Mr. Johnson**

~Asked everyone to keep Mr. John Mitchell a victim in the recent ceiling collapse at the Holy family Church in their thoughts and prayers.

**Mr. Zupkofska**

~Discussed information for executive session.

~Discussed legal cost update provided to BOS.

~Claimed he wasn't informed of recent union updates.

**Mr. Chaffee**

~Please remember Phil Vargas

~Announced School Building Committee meeting

~Discussed regional Selectman's meeting and focus on Casinos and the South Shore Vocational Technical project.

~Congratulated and thanked Sterling Smith and the E-award.

~Discussed the film tax credits effecting SSTDC project,

**~MOTION by Mr. Chaffee, 2<sup>nd</sup> by Mr. Simpson to urge support of the current movie tax credits, passed 5-0.**

**~MOTION by Mr. Chaffee, 2<sup>nd</sup> by Ms. O'Brien to ask the local legislators to support the Governor's Local Aid figures passed 5-0.**

**Mr. Simpson**

**~Discussed the proposed HUD project at Albion Street.**

**~Reported on the BAT Bus and level of usage**

**~Discussed requested the legal accounting**

**~Thanked John Loughlin and Bob Corvi for their efforts during the rain and flooding and announced the Governor has declared a State of Emergency.**

**~MOTION by Mr. Chaffee, second by Mr. Simpson to reaffirm the State of Emergency decision by the Chairman and TA, passed 5-0.**

### **30. EXECUTIVE SESSION**

**~Motion by Mr. Simpson, second by Mr. Chaffee to go into executive session for negotiation with Union and non-union personnel not to reconvene for;**

**Firefighter Step II grievance continued FG2010-1**

**Police Contract negotiations**

**Town Administrator contract review continued**

**passed by Roll Call vote 5-0.**

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**Allan R. Chiocca**  
**Town Administrator**

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**Lawrence J. Chaffee, Vice-Chairman**  
**Town of Rockland**

**Note: Open Meetings are recorded by local cable WRPS and are considered the official record of the BOS meetings**

**2 Attachments- Assistant District Attorney's letter and Town Counsel Clifford's reponse.**